

UNITED STATES DISTRICT COURT

for the
District of New Mexico

United States of America)

v.)

WEBSTER HOT)
Year of Birth 1960)

Case No. MJ 24-1575 BPB)

Defendant(s)


FILED
United States District Court
Albuquerque, New Mexico

Mitchell R. Elfers
Clerk of Court

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of _____ in the county of San Juan County in the
_____ District of New Mexico, the defendant(s) violated:*Code Section*18 U.S.C. § 1153
18 U.S.C. § 2241(c)*Offense Description*Crimes Committed in Indian Country
Aggravated Sexual Abuse with a Child

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

Complainant's signature

FBI Special Agent Dustin Patterson

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/28/2024

*Judge's signature*City and state: Farmington, New Mexico

Hon. B. Paul Briones, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A CRIMINAL COMPLAINT

I, Andrew Wright, being duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. This affidavit is made in support of a Criminal Complaint and an Arrest Warrant for WEBSTER HOT (hereinafter referred to as HOT), year of birth 1960.

2. I am currently serving as an FBI Special Agent assigned to the FBI, Albuquerque Division, Farmington Resident Agency, where I primarily investigate crimes that occur in Indian Country to include homicide, aggravated assault, child sexual assault, kidnapping and rape. I have been with the FBI since December 2020. I received on the job training from other experienced agents, detectives, Indian Country criminal investigators, and tribal police officers. My investigative training and experience include, but is not limited to, processing crime scenes, conducting surveillance, interviewing subjects and witnesses, writing affidavits for executing search warrants and arrest warrants, examining cellular telephones, managing confidential human sources and cooperating witnesses/defendants, serving subpoenas, collecting evidence and analyzing public records.

3. The information set forth in this affidavit was derived from my own investigation and/or communicated to me by other sworn law enforcement officers. Because this affidavit is submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish the probable cause to support a criminal complaint and arrest of HOT for violating criminal statutes 18 U.S.C. § 1153, crimes committed in Indian Country, and 18 U.S.C. § 2241(c) Aggravated sexual abuse with a child.

PROBABLE CAUSE

4. On October 6, 2024, F.G., year of birth 1978, (hereinafter referred to as COMPLAINANT) was interviewed by the Federal Bureau of Investigation and the Navajo Nation's Department of Criminal Investigation. COMPLAINANT disclosed the COMPLAINANT and her children, including K.N., year of birth 2016 (hereinafter referred to as JANE DOE) attended the Northern Navajo Nation Fair in Shiprock, New Mexico on October 5, 2024.

5. The COMPLAINANT was selling items at the Fair while her children went to the carnival. JANE DOE left the carnival and went to be with the COMPLAINANT. The COMPLAINANT stopped selling items around 5:00 pm on October 5, 2024. At that point the COMPLAINANT and JANE DOE met with HOT in the Bashes' parking lot, GPS coordinates 36.7764045, -108.6984405. HOT was with his brother. The COMPLAINANT recognizes HOT as a grandfather through Navajo traditional clan relationships. The COMPLAINANT had HOT's phone number saved as "WEBBY" in the COMPLAINANT's phone.

6. The COMPLAINANT planned for JANE DOE to be picked up by one of the COMPLAINANT's other children. HOT had a 1997 CHEVORLET GMT 400 truck with a camper on the back. The COMPLAINANT and JANE DOE stayed in HOT's camper waiting for JANE DOE to be picked up. While still waiting for JANE DOE's ride, HOT and his brother went to a dance.

7. The COMPLAINANT and JANE DOE fell asleep in the camper. The COMPLAINANT described that JANE DOE and the COMPLAINANT were laying on the bed area in the camper near the back window of the truck. HOT and his brother returned to the camper sometime between 12:00 am – 1:00 am on October 6, 2024. After HOT returned to the

camper the COMPLAINANT needed to use the restroom. The COMPLAINANT invited JANE DOE to go the restroom as well. JANE DOE stayed in the camper because she was tired. When the COMPLAINANT left, HOT was in the camper and his brother was in the cab of the truck.

8. The COMPLAINANT was gone for approximately five minutes. Upon returning to the camper, COMPLAINANT observed JANE DOE crying in the camper. JANE DOE told the COMPLAINANT “this guy touched me.” The COMPLAINANT asked for clarification on where JANE DOE was touched. JANE DOE looked down and informed the COMPLAINANT “down there.” The COMPLAINANT directed JANE DOE to come out of the camper.

9. HOT denied doing anything. The COMPLAINANT hit HOT across the face and said that she was going to call the cops.

10. COMPLAINANT took a photo of HOT and of the license plate to HOT’s vehicle. Later the COMPLAINANT received a clearer image of the license plate from another individual who helped the COMPLAINANT and JANE DOE. The photos depict an adult heavy set, male, with his shirt off, wearing an arrowhead necklace. The photo of the license plate showed Arizona plate 3ZA4PN.

11. A search of local databases confirmed that the license plate for the truck returned to HOT as the registered party.

12. COMPLAINANT and JANE DOE contacted emergency services. A synopsis of a report produced by the Navajo Nation Police Department is that on October 6, 2024, at approximately 1:34 am, a maroon car approached the command station in Shiprock during the Northern Navajo Nation Fair. A police officer made contact with a male individual identified as T.Y., year of birth 2003, (hereinafter referred to as the WITNESS). The WITNESS stated he brought a mother and her daughter to meet with an officer after being informed that the

daughter was touched by a man in the parking lot of Little Caesars. The WITNESS provided an Arizona License plate number of 3ZA4PN. [Contextually: Little Caesars and Bashes' share a parking lot.]

13. JANE DOE disclosed during a child and adolescent forensic interview on October 21, 2024, she was at the Fair with JANE DOE's sisters and friends. JANE DOE got tired, so she went to her mom, the COMPLAINANT. JANE DOE and the COMPLAINANT were walking on the sidewalk in front of Bashes' towards Little Caesars to buy food. While walking, a man, previously identified in this affidavit as HOT, was in a truck with a camper and began following JANE DOE and the COMPLAINANT. The man was saying "[j]ump in, you need a ride." Initially JANE DOE and the COMPLAINANT said no. HOT continued to follow them and said, "[i]f you don't get in the car, I will keep following you." JANE DOE and the COMPLAINANT got in the camper. JANE DOE did not know the man prior to this day.

14. The truck parked in front of Little Caesars. Later, the COMPLAINANT needed to go the bathroom. The COMPLAINANT offered to take JANE DOE but, JANE DOE was tired and decided to stay. After the COMPLAINANT left, JANE DOE fell back asleep. JANE DOE woke up because JANE DOE was being wiggled. Initially, JANE DOE thought it was the COMPLAINANT waking her, however JANE DOE found that HOT was the one touching her.

15. HOT's hand went inside JANE DOE's pants and was touching JANE DOE's skin. HOT put his finger in JANE DOE's "private spot." When HOT put his finger in JANE DOE's private spot, it made JANE DOE feel weird. HOT's finger was moving "in and out, in and out." When HOT's finger was going "in and out" it hurt JANE DOE. JANE DOE was

scared and shaky. While HOT was touching JANE DOE, HOT was on his phone going through messages.

16. JANE DOE was provided a drawing of a female and was asked if she saw the “private spot” or “down there” body part which JANE DOE was talking about. JANE DOE indicated that she did see the body part. JANE DOE then circled the vaginal area of the drawing showing the private spot. JANE DOE asked to circle the hand on the drawing. JANE DOE was able to identify a hand and circled it.

17. When the COMPLAINANT came back and opened the door, JANE DOE was shaking and crying. JANE DOE told the COMPLAINANT that HOT touched her private spot “down there.” HOT said: “Don’t call the cops I will give you dollars. I’ll give you some money.” The COMPLAINANT responded: “Money for touching my daughter like that?” and did not take the money. HOT said, “I didn’t know that was your daughter.”

18. JANE DOE was scared while with HOT, and thought HOT was going to take her to his house and keep her there. HOT was old with white hair, wrinkles on his face, fat, and wearing a necklace with an arrow. JANE DOE believed HOT went by the name Webber or something with a “W”.

19. JANE DOE described HOT’s truck as rusty and black with a white camper. The truck had a dent on it on the left side by the camper. There were also scratches on the doors and windows.

20. JANE DOE received an exam on October 8, 2024, through the Sexual Assault Services of Northwest New Mexico. During this exam there were various swabs taken from JANE DOE’s body to include from her vagina to collect potential DNA samples.

21. The incident location was within the boundaries of the Navajo Nation.

22. HOT and JANE DOE are enrolled members of the Navajo Nation.

CONCLUSION

23. Based on my training, experience, and the facts as set forth in this affidavit, your affiant submits there is probable cause to believe HOT violated federal criminal statutes, 18 U.S.C. § 1153, crimes committed in Indian Country, and 18 U.S.C. § 2241(c) Aggravated sexual abuse with a child.

24. Assistant United States Attorney Brittany DuChaussee reviewed and approved this affidavit for legal sufficiency to establish probable cause.

A handwritten signature in black ink, appearing to read "Andrew Wright", written over a horizontal line.

Andrew Wright
Special Agent
Federal Bureau of Investigation

Electronically SUBSCRIBED and telephonically SWORN to me on October 28, 2024.

A handwritten signature in black ink, appearing to read "B. Paul Briones", written over a horizontal line.

B. Paul Briones
United States Magistrate Judge